

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil Action No. 5:11-cv-00160 FL

ZIPTRONIX, INC.,)
)
Plaintiff,)
)
vs.)
)
OSTENDO TECHNOLOGIES, INC.)
)
Defendant.)

ORDER

This matter comes before the Court on Plaintiff and Counterclaim-Defendant Ziptronix, Inc.'s Motion to Seal D.E. #56-3 and 56-4 Filed in Support of Defendant's Reply to Response to Motion for Leave to Amend (the "Motion to Seal"). The Court makes the following findings of fact and conclusions of law:

1. Exhibit B (D.E. #56-3) and Exhibit C (D.E. #56-4) are documents that have been designated "Confidential" under the Consent Protective Order (D.E. #16) in this case.

2. It is necessary for the Court to review these materials in order to properly consider Defendant and Counterclaim-Plaintiff Ostendo Technologies, Inc. Motion for Leave to Amend Its Counterclaim (D.E. #48).

3. It appears to the Court that Exhibit B and Exhibit C each contain Ziptronix's confidential business or technical information regarding Ziptronix's proprietary processes for bonding semiconductor wafers.

4. The Court has given the public sufficient notice to object to the Motion to Seal prior to ruling on the motion.

5. Defendant and Counterclaim-Plaintiff Ostendo Technologies, Inc., through its counsel, consents to the Motion to Seal.

6. Given that Exhibit B and Exhibit C appear to be confidential in their entirety, there is no reasonable alternative to protecting the confidential information other than sealing the documents.

7. The public's right of access to these materials is outweighed by the interests that Ziptronix claims in protecting against their public disclosure.

NOW, THEREFORE, upon consideration of the Motion to Seal, and the entire record herein, the Court finds that good cause exists to grant the Motion to Seal, and it is therefore

ORDERED that the Motion to Seal is hereby GRANTED; and it is

FURTHER ORDERED that Exhibit B (D.E. #56-3) and Exhibit C (D.E. #56-4) be FILED UNDER SEAL.

This the 27th of Nov, 2012.

